

**2002 Child and Dependent Care Expenses Credit****3506**

Attach to your California Form 540, 540A, or Long Form 540NR.

Name(s) as shown on return

Social Security Number

**Part I Unearned Income and Other Funds Received in 2002.** See instructions

SOURCE OF INCOME/FUNDS	AMOUNT	SOURCE OF INCOME/FUNDS	AMOUNT

**Part II Persons or Organizations Who Provided the Care – You must complete this part.** (If you need more space, attach a schedule.)

1 (a) Care provider's name	(b) Address (number, street, apt. no., city, state, and ZIP Code)	(c) Identifying number (SSN or EIN)	(d) Telephone number	(e) Amount paid (See instructions)
			(   )	
			(   )	

Did you receive dependent care benefits? >>>>> No Complete Part III below.  
 Yes Complete Part V before Part III.

**Part III Credit for Child and Dependent Care Expenses****2 Information about your qualifying person(s).** See instructions

(a) Qualifying person's name		(b) Qualifying person's social security number (see instructions)	(c) Qualifying person's date of birth (DOB) or if disabled	(d) Percentage of time spent in your California home	(e) Qualified expenses you incurred and paid in 2002 for the qualifying person listed in column (a)
First	Last		DOB: _____ Disabled <input type="checkbox"/> Yes		
			DOB: _____ Disabled <input type="checkbox"/> Yes		
			DOB: _____ Disabled <input type="checkbox"/> Yes		

<b>3</b> Add the amounts in column (e) of line 2. <b>Do not</b> enter more than \$2,400 for one qualifying person or \$4,800 for two or more persons. If you completed Part V, enter the amount from line 31	<b>3</b>	
<b>4</b> Enter YOUR <b>earned income</b> .	<b>4</b>	
<b>5</b> If married filing a joint return, enter YOUR SPOUSE'S earned income (if your spouse was a student or was disabled, see the instructions); <b>all others</b> , enter the amount from line 4	<b>5</b>	
<b>6</b> Enter the <b>smallest</b> of line 3, line 4, or line 5	<b>6</b>	
<b>7</b> Enter the decimal amount shown in the chart on page 3 of the instructions for line 7	<b>7</b>	X.
<b>8</b> Multiply line 6 by the decimal amount on line 7. This is your allowable federal child and dependent care credit before limitations. Enter the result here and on Form 540A, line 30; Form 540, line 44; or Long Form 540NR, line 53	<b>8</b>	
<b>9</b> Enter the decimal amount listed on the chart on page 3 of the instructions for line 9	<b>9</b>	X.
<b>10</b> Multiply the amount on line 8 by the decimal amount on line 9	<b>10</b>	
<b>11</b> Credit for prior year expenses paid in 2002. See instructions for line 11	<b>11</b>	
<b>12</b> Add line 10 and line 11. Enter the result here and on Form 540A, line 31 or Form 540, line 45. Long Form 540NR filers enter amount here and continue to Part IV	<b>12</b>	

**Part IV Nonresident and Part-Year Residents**

<b>13</b> Did you maintain your primary home in California for yourself and the qualifying person(s) during 2002? (See instructions) If "Yes," continue. If "No," <b>stop</b> . You <b>do not</b> qualify for the credit	<b>13</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>14</b> Enter the amount from Part III, line 12	<b>14</b>	
<b>15</b> Enter the percentage from Long Form 540NR, line 25a. (If your percentage is more than 1.00, enter 1.0000)	<b>15</b>	X. _____
<b>16</b> Multiply line 14 by the ratio on line 15. Enter here and on Long Form 540NR, line 54	<b>16</b>	

**Part V Dependent Care Benefits**

<b>17</b> Enter the total amount of dependent care benefits you received for 2002. This amount should be shown in box 10 of your Form(s) W-2. <b>Do not</b> include amounts that were reported to you as wages in box 1 of Form(s) W-2 .....	<b>17</b>		
<b>18</b> Enter the amount forfeited, if any. See instructions .....	<b>18</b>		
<b>19</b> Subtract line 18 from line 17 .....	<b>19</b>		
<b>20</b> Enter the total amount of <b>qualified expenses</b> incurred in 2002 for the care of the <b>qualifying person(s)</b> . See instructions .....	<b>20</b>		
<b>21</b> Enter the <b>smaller</b> of line 19 or line 20 .....	<b>21</b>		
<b>22</b> Enter YOUR <b>earned income</b> .....	<b>22</b>		
<b>23</b> If married filing a joint return, enter YOUR SPOUSE'S earned income (if your spouse was a student or was disabled, see the instructions for line 5); <b>all others</b> , enter the amount from line 22 .....	<b>23</b>		
<b>24</b> Enter the <b>smallest</b> of line 21, line 22, or line 23 .....	<b>24</b>		
<b>25</b> Excluded benefits. Enter here the <b>smaller</b> of the following: • The amount from line 24; or • \$5,000 (\$2,500 if married filing a separate return <b>and</b> you were required to enter your spouse's earned income on line 23) .....	<b>25</b>		
<b>26</b> Taxable benefits. Subtract line 25 from line 19 .....	<b>26</b>		
<b>27</b> Enter \$2,400 (\$4,800 if two or more qualifying persons) .....	<b>27</b>		
<b>28</b> Enter the amount from line 25 .....	<b>28</b>		
<b>29</b> Subtract the amount on line 28 from the amount on line 27. If zero or less, <b>stop</b> . You <b>do not qualify</b> for the credit. <b>Exception</b> – If you paid 2001 expenses in 2002, see instructions for line 11 .....	<b>29</b>		
<b>30</b> Complete Part III, line 2. <b>Do not</b> include in column (e) any benefits shown on line 25 above. Add the amounts in column (e) and enter the total here .....	<b>30</b>		
<b>31</b> Enter the <b>smaller</b> of line 29 or line 30. Also, enter this amount on Side 1, line 3 on the front of this form and complete line 4 through line 12 .....	<b>31</b>		

**Worksheet – Credit for 2001 Expenses Paid in 2002**

1) Enter your 2001 qualified expenses paid in 2001. If you did not claim the credit for these expenses on your 2001 return, get and complete a 2001 form FTB 3506 for these expenses. You may need to amend your 2001 return .....	
2) Enter your 2001 qualified expenses paid in 2002 .....	
3) Add the amounts on line 1 and line 2 .....	
4) Enter \$2,400 if care was for one qualifying person (\$4,800 for two or more) .....	
5) Enter any dependent care benefits received for 2001 and excluded from your income (from line 25 of 2001 form FTB 3506) .....	
6) Subtract amount on line 5 from amount on line 4 and enter the result .....	
7) Compare your earned income for 2001 and your spouse's earned income for 2001 and enter the smaller amount .....	
8) Compare the amounts on line 3, line 6, and line 7 and enter the smallest amount .....	
9) Enter the amount on your 2001 form FTB 3506, line 6. Important: If you were instructed on line 1 to get and complete a 2001 form FTB 3506, enter the amount from line 6 of that form .....	
10) Subtract amount on line 9 from amount on line 8 and enter the result. If zero or less, stop here. You cannot increase your credit by any previous year's expenses .....	
11) Enter your 2001 federal adjusted gross income (AGI) (from your 2001 Form 540, line 13; 540A, line 12b; or Long Form 540NR, line 13) .....	
12) Find your 2001 federal AGI in the table of percentages (on page 3 of the instructions for line 7) and enter the corresponding decimal here .....	X.
13) Multiply line 10 by line 12 .....	
14) Enter the percentage from form FTB 3506, line 9 based on your 2001 California AGI .....	X.
15) Multiply line 13 by line 14. Enter the result here and on line 11 of your 2002 form FTB 3506 .....	

# Instructions for Form FTB 3506

## Child and Dependent Care Expenses Credit

### What's New

Beginning with taxable year 2002, California law treats never married parents who have lived apart at all times during the last six months of the year differently than federal law. Generally, your child must be your dependent for whom you can claim the dependent exemption credit. However, under the new California rules, if you are the custodial parent and do not qualify to claim the dependent exemption credit for your child, you may be eligible to claim this credit (rather than the parent who can claim the dependent exemption credit for the child). See "Never Married to the Child's Other Parent" on this page.

### General Information

You must attach the completed form FTB 3506 to your return.

### A Purpose

If you paid someone to care for your child or other qualifying person so you (and your spouse if filing a joint return) could work or look for work in 2002, you may be able to take the credit for child and dependent care expenses. However, you must have **earned income** to do so. If you qualify to claim the credit, use form FTB 3506 to figure the amount of your credit.

For additional definitions, requirements, and instructions, get federal Form 2441 or Publication 503, Child and Dependent Care Expenses.

### B Qualifications

You may take the credit if **all nine** of the following apply.

1. Your filing status is single, head of household, or qualifying widow(er) with dependent child, or if married, you must file a joint return. Exception: See "Married Persons Filing Separate Returns" on page 2.
  2. Care must be provided for one or more qualifying persons. A qualifying person is:
    - Any child age 12 or under for whom you can claim the **dependent** exemption credit. Children turning 13 during the year qualify for the part of the year they were 12.
    - Your spouse who was physically or mentally incapable of self-care.
    - Your **dependent** who was physically or mentally incapable of self-care. You must be able to claim the dependent exemption credit for this person (or could claim a dependent exemption except the person had gross income of \$3,000 or more).
- For children of divorced, separated, or never married parents, see "Which Parent Can Claim the Child as the Qualifying Person?" on this page.
- See federal Form 2441 or Publication 503 for more information.
3. You paid for care so you (and your spouse, if married) could work or look for work. However, if you did not find a job and have no earned income for the year, you do not qualify for the credit. If your spouse was a student or disabled, see the instructions for Part III, line 5.
  4. You (and your spouse, if married) paid over half the cost of keeping up your home for the qualifying person(s). The cost includes rent, mortgage interest, real estate taxes, utilities, home repairs, and food eaten at home.
  5. You and the qualifying person(s) lived in the same home.
  6. Your primary home (where you and your qualifying person(s) lived) must have been in California.
  7. The person who provided the care was not your spouse or a person for whom you can claim a dependent exemption. Generally, the person who provided the care cannot be a parent of the individual

for whom care was provided. If your child provided the care, he or she must have been age 19 or older by the end of 2002.

8. You report the required information about the care provider on line 1 and the information about the qualifying person(s) on line 2.
9. Your California adjusted gross income is \$100,000 or less.

#### Which Parent Can Claim the Child as the Qualifying Person?

The child can **only** be the qualifying person of **one** parent when the parents are filing separate returns. Even if both parents pay for childcare for the same child, both parents will **not** qualify for the credit. Use the information in this part to determine if you can claim the child as the qualifying person.

#### Divorced or Married but Separated from the Child's Other Parent

For purposes of determining whether your child is your qualifying person, you are considered divorced or separated if **either** of the following applies:

- You are divorced or separated under a decree of divorce, decree of separate maintenance, judgment of legal separation, or decree of separation; or
- You lived apart from your spouse at all times during the last six months of 2002. (**Note:** If you did not live apart at all times during the last six months of 2002, you must file a joint return with your spouse to claim this credit.)

If you and the child's other parent were never married, see "Never Married to the Child's Other Parent" on this page.

**Custodial Parent** – If you are the custodial parent and can claim the dependent exemption credit for your child, the child is your qualifying person. You are the custodial parent if you had physical custody of your child longer than your child's other parent during the calendar year.

On days where custody is shared, the parent having custody of the child for more than 12 hours is considered to have custody for that day. If each parent has custody of the child for the same number of days during the year, then neither parent is the custodial parent. Neither parent qualifies for the credit.

If you cannot claim the dependent exemption credit for your child, you can still treat your child as your qualifying person if **all** of the following apply:

1. One or both parents had custody of the child for more than half the year.
2. One or both parents provided more than half the child's support for the year.
3. Either:
  - a. You stated in writing that the noncustodial parent may claim the dependent exemption that you were entitled to, or
  - b. The noncustodial parent provided at least \$600 of support for the child and claimed the dependent exemption credit for the child under a pre-1985 written agreement.

**Noncustodial Parent** – If you are the noncustodial parent, the child cannot be your qualifying person, even if you are able to claim the dependent exemption credit.

#### Never Married to the Child's Other Parent

**Custodial Parent** – You are the custodial parent if you had physical custody of the child longer than your child's other parent. The child is the qualifying person of the custodial parent if all of the following requirements are met.

1. The child received over one-half of his or her support during the calendar year from his or her parents who never married each other;
2. The parents lived apart at all times during the last six months of 2002;

3. The child was in the custody of one or both of his or her parents for more than one-half of the calendar year.

**Note:** You do not have to be able to claim the dependent exemption credit for your child. If you did not qualify for the federal child and dependent care expense, the amount on line 8 of form FTB 3506 is the amount of the federal child and dependent care expense you would have been allowed if you had qualified.

**Person Qualifying to Claim the Dependent Exemption** – If the above requirements under "Custodial Parent" are **not** met, then the child is the qualifying person of the individual who qualifies to claim the dependent exemption credit for the child. To qualify to claim the dependent exemption credit, you must provide more than half of the child's total support for the calendar year. To decide if you provided more than half the support, the amount you provided must be compared to the entire amount of support the child received from all sources. All sources include (but are not limited to) the amount provided by others such as the other parent, other members living in the home, the child's own funds, food stamps, and Temporary Assistance for Needy Families provided by the State of California.

### Married Persons Filing Separate Returns

Generally, a married person must file a joint return to claim this credit. However, if you meet the requirements below plus items 2 through 9 in Section B on the preceding page, you can claim the credit on your separate return.

- You lived apart from your spouse at all times during the last six months of 2002,
- The qualifying person(s) lived in your home more than half of 2002, and
- You provided over half the cost of keeping up your home.

The child can only be the qualifying person of one parent when the parents are filing separate returns. Even if both parents pay for childcare for the same child, both parents will not qualify for the credit. For more information on which parent can claim the child, see "Which parent can claim the child as the qualifying person?" on page 1.

## C Specific Line Instructions

### Part I

#### Unearned Income and Other Funds

List the source and amount of **any** money you received in 2002 that is not included in your earned income (line 4 and line 5) but that was used to support your household. Include child support, property settlements, public assistance benefits, court awards, inheritances, insurance proceeds, pensions and annuities, social security payments, workers compensation, unemployment compensation, interest, or dividends.

### Part II

#### Line 1

Complete column (a) through column (e) for each person or organization that provided the care. You can use federal Form W-10, Dependent Care Provider's Identification and Certification, or any other source listed in the instructions for Form W-10 to get the information from your care provider. If your provider does not give you the information, complete as much of the information as possible and explain that your provider did not give you the information you requested.

If you do not give correct or complete information, your credit may be disallowed unless you can show you used due diligence in trying to get the required information.

#### Columns (a) and (b)

Enter your care provider's complete name (or business name) and address. If you were covered by your employer's dependent care plan and your employer furnished the care (either at your workplace or by hiring a care provider), enter your employer's name in column (a). Next, enter "See W-2" in column (b). Enter your employer's telephone number in column (d). Leave column (c) and column (e) blank. If your employer paid a third party (not hired by your employer) on your behalf to provide the care, you must give information about the third party in column (a) through column (e).

#### Column (c)

If your care provider is an individual, enter his or her social security number. Otherwise, enter the provider's employer identification number. If your provider is a tax-exempt organization, enter "Tax-Exempt" in column (c).

#### Column (d)

Enter the telephone number of your care provider, including area code. We may call to verify the provider information.

#### Column (e)

Enter the total amount you **actually paid** in 2002 to your care provider. Also include amounts your employer paid to a third party on your behalf. It does not matter when the expenses were incurred. Do not reduce this amount by any reimbursement you received.

### Part III

#### Line 2

Complete column (a) through column (e) for each qualifying person. If you have more than five qualifying persons, attach a statement to your return with the required information and write "see attached." Be sure to put your name and social security number (SSN) on the statement.

#### Column (a)

Enter each qualifying person's name.

#### Column (b)

Enter the first two qualifying persons' social security numbers on Form 540, line 42 and line 43; Form 540A, line 28 and line 29; or Long Form 540NR, line 51 and line 52.

You **must** enter the qualifying person's SSN unless he or she was born and died in 2002. Be sure the name and SSN entered agree with the person's social security card. Otherwise, at the time we process your return, we may reduce or disallow your credit. If the person was born and died in 2002, and did not have an SSN, enter "Died" in column (b) and attach a copy of the person's birth certificate.

#### Column (c)

Enter the qualifying person's date of birth in the space provided or if the qualifying person is disabled (physically or mentally incapable of self-care), check the box.

#### Column (d)

If you shared custody of the qualifying person(s), enter the percentage of time you had physical custody.

#### Column (e)

Enter the qualified expenses you incurred and paid in 2002 for the person(s) listed in line 2, column (a). If the child turned 13 years old during the year, include only the qualified expenses for the part of the year the child was under 13. Do not include in column (e) qualified expenses:

- You incurred in 2002 but did not pay until 2003. You may be able to use these expenses to increase your 2003 credit.
- You incurred in 2001 but did not pay until 2002. Instead, see instructions for line 11.
- You prepaid in 2002 for care to be provided in 2003. These expenses may only be used to figure your 2003 credit.

## Line 4

Earned income includes wages, salaries, tips, other employee compensation, and net earnings from self-employment. A net loss from self-employment reduces earned income. Earned income also includes strike benefits and any disability pay you report as wages. Earned income does not include pensions and annuities, social security payments, workers' compensation, interest, dividends, public assistance, capital gains, unemployment compensation, parsonage allowances, meals and lodging furnished for the convenience of the employer, voluntary salary deferrals, military basic quarters and subsistence allowances, in-kind quarters and subsistence, and military pay earned in a combat zone.

## Line 5

### Spouse Who Was a Student or Disabled

Your spouse was a **student** if he or she was enrolled as a full-time student at a school during any 5 months of 2002. A school does not include a night school or correspondence school. Your spouse was **disabled** if he or she was not capable of self-care. Figure your spouse's earned income on a monthly basis.

For each month or part of a month your spouse was a student or was disabled, he or she is considered to have worked and earned income. His or her earned income for each month is considered to be at least \$200 (\$400 if more than one qualifying person was cared for in 2002). If your spouse also worked during that month, use the higher of \$200 (or \$400 if more than one qualifying person) or his or her actual earned income for that month. If, in the same month, both you and your spouse were either students or disabled, only one of you can be treated as having earned income in that month. For any month that your spouse was not a student or disabled, use your spouse's actual earned income if he or she worked during the month.

## Line 7

Determine your federal adjusted gross income (AGI) from Form 540A, line 12b; Form 540, line 13; or Long Form 540NR, line 13. Then use the chart below to determine the decimal amount to enter on line 7.

If your Federal AGI is:		The decimal amount
Over	But not over	on Line 7 is:
\$0	\$10,000	.30
10,000	12,000	.29
12,000	14,000	.28
14,000	16,000	.27
16,000	18,000	.26
18,000	20,000	.25
20,000	22,000	.24
22,000	24,000	.23
24,000	26,000	.22
26,000	28,000	.21
28,000	No limit	.20

## Line 9

Use the chart below to determine the decimal amount to enter on line 9.

If your California AGI from Form 540A, line 14; Form 540, line 17; or Long Form 540NR, line 21 is:	The decimal amount to enter on Line 9 is:
\$40,000 or less	.63
Over \$40,000 but not over \$70,000	.53
Over \$70,000 but not over \$100,000	.42
Over \$100,000	<b>Stop.</b> You <b>do not qualify</b> for this credit.

## Line 11

If you had work-related expenses for care that was provided in 2001, but that you paid for in 2002, you may be able to increase the amount of your Child and Dependent Care Expenses Credit for 2002. Use the worksheet on Side 2 of form FTB 3506 to calculate the amount of additional credit you may be entitled to claim. See federal Publication 503 under "How to Figure the Credit" and "Amount of Credit" for guidance on completing line 1 through line 10 of the worksheet. If you claimed the California Child and Dependent Care Expenses Credit for the year 2001, you will need a copy of your 2001 California income tax return, including your California form FTB 3506, in order to properly complete this worksheet.

## Part IV

### Line 13 – Line 16

Nonresidents and part-year residents must complete and attach Schedule CA (540NR), California Adjustments - Nonresidents or Part-Year Residents, to their Long Form 540NR tax return. If Part I of Schedule CA (540NR) is not fully completed, your credit may be disallowed.

You must maintain your primary home in California for yourself and your qualifying person(s) during the year or portion of the year to qualify for the credit. Full-year nonresidents of California who retained their main home in another state do not qualify for this credit.

Nonresidents and part-year residents must calculate the percentage of the child and dependent expenses credit that they may be qualified to take. It is based on the percentage from Long Form 540NR, line 25a.

## Part V

### Line 17

Dependent care benefits include (1) amounts your employer paid directly to you or your care provider for the care of your qualifying person(s) while you worked, and (2) the fair market value of care in a day-care facility provided or sponsored by your employer. Your salary may have been reduced to pay for these benefits. If you received dependent care benefits, they should be shown in box 10 of your 2002 Form(s) W-2.

### Line 18

If you had a flexible spending account, any amount included on line 17 that you did not receive because you did not incur the expense is considered forfeited. Do not include amounts you expect to receive at a future date.

### Line 20

Enter the total of all qualified expenses incurred in 2002. It does not matter when the expenses were paid.

**Example:** You received \$2,000 cash under your employer's dependent care plan for 2002. The \$2,000 is shown in box 10 of your Form W-2. You incurred \$900 of qualified expenses in 2002 for the care of your 5-year-old dependent child. You would enter \$900 on line 20, but would report the entire \$2,000 on line 17.

For all other lines, follow specific line instructions on the form. For additional information, see federal Form 2441 or Publication 503.